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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,587	03/30/2001	Sachin V. Shah	10541/251	6807

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EXAMINER

JORGENSEN, LELAND R

ART UNIT	PAPER NUMBER
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2675

DATE MAILED: 12/19/2002

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/823,587

Applicant(s)

SHAH, SACHIN V.

Examiner

Leland R. Jorgensen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 4 – 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4 and 7 recites the limitation "the bottom side of the interior compartment." There is insufficient antecedent basis for this limitation in the claim. It is unclear to one in the art exactly what side is the bottom side.

Claims 5, 6, and 8 – 11 are rejected as dependant on either claim 4 or claim 7.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Barlett et al., USPN 5,276,589.

Claim 1

Barlett teaches a console lid [screen portion 14] positioned over a console [base portion 12] for pivotal movement relative thereto. Bartlett, col. 2, lines 30 – 34; and figures 1 and 2. A display screen [screen 32] is mounted in a movable frame [frame member 18] pivotally positioned within an interior compartment of the lid to allow the frame and the screen to move between at least two positions [figures 1 and 3] relative to the lid. Bartlett, col. 2, lines 37 – 64.

Claim 2

Barlett teaches that the lid [screen portion 14] can pivot between an open position [figure 3] and a closed position [figure 4]. Bartlett, col. 2, lines 57 – 64.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3 - 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bartlett et al. in view of Tiesler et al., USPN 6,045,173.

Claim 3

Claim 3 adds that when the lid is in the open position, the storage bin of the console is accessible. Barlett shows when the lid is in the open position, a keyboard 16 is accessible.

Barlett, figure 1.

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Barlett does not show a storage bin.

Tiesler teaches a cover 20 having a opened position and a closed position. When the cover is in the open position, a storage bin 26 is uncovered. Tiesler, col. 2, line 58 – col. 3, line 18.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the storage bin as taught by Tiesler with the console lid mounted screen of Barlett.

Tiesler invites such combination by teaching,

It is known in the art relating to automotive vehicles to provide a console located between bucket-type seats for the storage of articles and, in some cases, to provide a cupholder. The cover of the console generally acts as an armrest. The console covers commonly tilt back or sideways to uncover the storage recess. A cupholder may be incorporated in this recess or may be mounted in semi-collapsed form and pulled out of the recess for use with the cover in closed position.

Tiesler, col. 1, lines 10 – 18. Tiesler adds,

The present invention provides a console with a multi-position cover which acts as an armrest with the cover closed or in a partially open position. From the closed position, the cover slides rearward to the partially open position, uncovering one or more cupholder recesses. To access a storage receptacle in the console, the cover may be tilted upward from the partially open to a fully open position wherein the cover is standing in a vertical or near vertical position, tilted upward on a hinge device. Dual cupholder recesses may be provided with expansion drawers openable to size the cupholders for use.

Tiesler, col. 1, lines 22 – 32.

Claim 4

Barlett shows the bottom horizontal portion 24 of the frame member 18 as being substantially rigid. Barlett, col. 2, lines 37 – 39; and figures 1 – 3.

Claim 5

It is inherent to Bartlett that with the lid closed and the screen with the back 86 out, that when the frame is in the closed position, the screen is hidden from view and the lid has a substantially flat profile. Bartlett, col. 3, lines 9 – 10, 32 - 38; and figures 4 and 9.

7. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bartlett et al. in view of Tiesler et al. as applied to claims 3 - 5 above, and further in view of Zaidan, USPN 5,494,447.

Claim 6

Claim 6 adds that the frame is attached to the lid with at least one friction pinion, allowing the frame to remain stationary at any angle relative to the lid.

Neither Bartlett nor Tiesler teach a pinion.

Zaidan teaches the use of a pinion to help a display part 12 to remain stationary at any angle relative to a base part 14. Zaidan, col. 5, lines 23 – 27; col. 12, lines 4 – 8; and figure 1.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the pinion as taught by Zaidan with the console lid mounted screen as taught by Bartlett in view of Tiesler. Zaidan invites such combination by teaching,

This invention relates to hinges for electronic devices, particularly hinge assemblies for electronic devices having two or more device parts that interconnect and stably support the device parts while providing enhanced adjustability in the three-dimensional positioning of each device part relative to the other device parts, so as to enhance comfort, efficiency and effectiveness in using the electronic device.

Two-part electronic devices are common. They include personal computers of various categories such as desk-top, laptop, notebook, and palm-top

computers, as well as pen-based tablet computers. Two-part electronic devices also include personal organizers and other electronic devices.

For two-part electronic devices, one device part typically is a video display. For example, portable computers typically have a flat panel display screen (the "display part"), e.g., an LCD or gas plasma display. The second device part typically is a base that holds, among other things, the bulk of the device's electronic hardware, such as disk drives (the "base part"). In portable computers, the base part also commonly holds a keyboard that may or may not be detachable from the base part. Broadly, the display and base parts can be described as typically being, in shape, rectangular prisms, having outside and inside surfaces and right, left, front and back sides.

In using two-part electronic devices, it is generally desirable to be able to adjust the relative positions of the two device parts through three dimensions substantially without restriction, while stably supporting both parts. For example, in portable computers the user may desire to adjust the vertical viewing angle of the display by rotating the display part horizontally relative to the base part. The user may desire to swivel the display part relative to the base part in order to allow a second person to view the display while not encumbering the user's access to the keyboard. The user may desire to position the display a shorter or longer distance from the user's eyes, with or without adjusting the viewing angle or the position of the keyboard. The user may desire to place the display part flat against the base part with the display exposed and the keyboard either (i) covered by the display part, for example, when input is to be pen-based, or (ii) uncovered by the display part, for example, when using the device's keyboard in conjunction with an external monitor rather than the integral display. Moreover, the user may desire to adjust the relative positions of the two device parts in these and other ways in sequence or in combination, depending on the type of electronic device and the nature of its use.

Zaidan, col. 1, lines 9 – 57. Zaidan adds,

The present invention fulfills the need for an improved hinge mechanism for electronic devices, overcomes the shortcomings of prior art hinge mechanisms and provides certain advantages not heretofore available in such mechanisms, by providing a hinge assembly that interconnects and stably supports one device part relative to another while enhancing the three-dimensional adjustability of the position of each device part relative to one or more other device parts.

Zaidan, col. 2, lines 55 – 62.

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8. Claims 7 - 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bartlett et al. in view of Zaidan.

Claim 7

Barlett teaches a frame pivotally attached to a console lid, a display screen defined within the frame, and the console lid having a compartment defined therein to receive the frame.

Bartlett col. 2, lines 30 – 64; and figures 1 – 3. Bartlett shows the bottom horizontal portion 24 of the frame member 18 as being substantially rigid. Bartlett, col. 2, lines 37 – 39; and figures 1 – 3.

Barlett does not teach a friction pinion.

Zaidan teaches the use of a pinion to help a display part 12 to remain stationary at any angle relative to a base part 14. Zaidan, col. 5, lines 23 – 27; col. 12, lines 4 – 8; and figure 1.

For the reasons stated above in the discussion about claim 6, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the pinion as taught by Zaidan with the console lid mounted screen as taught by Bartlett.

Claim 8

Zaidan teaches the use of a pinion to help a display part 12 to remain stationary at any angle relative to a base part 14. Zaidan, col. 5, lines 23 – 27; col. 12, lines 4 – 8; and figure 1.

Claim 9

It is inherent to Bartlett that with the lid closed and the screen with the back 86 out, that when the frame is in the closed position, the screen is hidden from view and the lid has a substantially flat profile. Bartlett, col. 3, lines 9 – 10, 32 - 38; and figures 4 and 9.

Claim 10

Bartlett teaches that the console lid [screen portion 14] has a hinge 15 providing a pivotable connection to a console [base portion 12]. Bartlett, col 2, lines 30 – 34; and figure 1.

Claim 11

Barlett teaches that the lid [screen portion 14] can pivot between an open position [figure 3] and a closed position [figure 4]. Barlett, col. 2, lines 57 – 64.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Landry, USPN 5,397,160, teaches a vehicle console.

Mok, USPN 6,008,986, and Blonder, USPN 5,103,376, teach a pinion used with a lid for a computer display.

Kawasaki, USPN 6,012,785, Otsuki, USPN 5,847,685, Gray, USPN 5,823,599, Suman et al., USPN 5,822,023, Mizutani et al., USPN 4,843,477, and Young et al., USPN 5,338,081, teach a display system for a vehicle.

Johnson, USPN 2,299,393, teaches a television receiver cabinet.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leland Jorgensen whose telephone number is 703-305-2650. The examiner can normally be reached on Monday through Friday, 7:00 a.m. through 3:30 p.m..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven J. Saras can be reached on 703-305-9720.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office, telephone number (703) 306-0377.

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STEVEN SARAS
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